

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 20-cr-20262

vs

Judge: Matthew F. Leitman  
Magistrate: Anthony Patti

AUSTIN JOSEPH LASH,

Defendant.

**DEFENDANT'S DEMAND FOR DISCOVERY**

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CHRISTOPHER W. RAWSTHORNE	BARNEY R. WHITESMAN
WI BAR #105889	P30526
Assistant United States Attorney	Attorney for Defendant
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Defendant Austin Lash, by his attorney, Barney R.

Whitesman, hereby demands prompt access, inspection and copies of the following discovery pursuant to FR Crim P 12(a)(4)(B) and 16(a), *Kyles v Wheatley*, 514 US 419 (1995), MRPC 3.8(d), and US DOJ Memorandum for Department Prosecutors dated January 4, 2010:

1. The substance of any relevant oral statements made by Defendant before or after arrest in response to interrogation by a

person Defendant knew was a government agent if the government intends to use the statement at trial.

2. Defendant's written or recorded statements pursuant to FR Crim P 16(a)(1)(B), including all subsections.

3. All of Defendant's prior criminal records that are within the government's possession, custody, or control pursuant to FR Crim P 16(a)(1)(D).

4. All books, papers, documents, data, photographs, videos, and tangible objects pursuant to FR Crim P 16(a)(1)(E), including all subsections.

5. The results or reports of any physical or mental examination and of any scientific technical test or experiments pursuant to FR Crim P 16(a)(1)(F).

6. Written summaries of any expert testimony pursuant to FR Crim P 16(a)(1)(G).

7. All exculpatory information, including but not limited to impeachment material and all other discovery required by *Kyles v Wheatley*, 514 US 419 (1995). These should include copies of all police/federal agent statements, notes, and records, handwritten,

electronic, or typed, pertaining to this cause, and the Child Advocacy Center audio/video.


8. Copies of all applications for search warrants and search warrants and all other documents filed or submitted to the Court and predecessor courts

9. Copies of any disciplinary records of any police and/or federal agents and witnesses in any way involved in the investigation or prosecution of this matter, which contains impeachment information. See e.g., *US v Giglio*, 405 US 150, 154 (1972) (Evidence of the non-reliability of Plaintiff witness in *Brady*.); *US v Floyd*, 247 F Supp 889, 901 (SD Ohio, 2002).

10. Any FRE 404 evidence Plaintiff intends to adduce.

11. All evidence which Plaintiff intends to adduce at trial.

Date: 7/20/20

  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on July 20, 2020

By: ☐ Overnight Courier ☐ FAX ☐ E mailed  
☐ Hand Delivered ☐ U.S. Mail ☒ E filed  
☐ Certified Mail ☐ Scanned ☒ Other: ECF Service

Signature 